

# Union Calendar No. 242

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 2114

[Report No. 107-408]

To amend the Antiquities Act regarding the establishment by the President of certain national monuments and to provide for public participation in the proclamation of national monuments.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 2001

Mr. SIMPSON (for himself, Mr. HANSEN, Mr. OTTER, Mr. PETERSON of Pennsylvania, Mr. DOOLITTLE, Mr. SHADEGG, Mr. DUNCAN, Mr. GIBBONS, Mr. SCHAFFER, Mr. STUMP, Mr. SESSIONS, Mr. NETHERCUTT, Mrs. CUBIN, Mr. CANNON, Mr. HERGER, Mr. HASTINGS of Washington, Mr. SOUDER, Mr. RADANOVICH, Mr. REHBERG, Mr. WALDEN, Mr. GOSS, Mr. CALVERT, Mr. SKEEN, Mr. THORNBERRY, Mr. THOMAS, Mr. HAYWORTH, Mr. TANCREDO, Mr. HUNTER, Mr. TAUZIN, and Mr. FLAKE) introduced the following bill; which was referred to the Committee on Resources

APRIL 15, 2002

Additional sponsors: Mr. WAMP, Mr. HOSTETTLER, and Mr. TERRY

APRIL 15, 2002

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on June 7, 2001]

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## A BILL

To amend the Antiquities Act regarding the establishment by the President of certain national monuments and

to provide for public participation in the proclamation of national monuments.

1 *Be it enacted by the Senate and House of Representa-*  
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “National Monument*  
 5 *Fairness Act”.*

6 **SEC. 2. CONGRESSIONAL REVIEW OF NATIONAL MONU-**  
 7 **MENT STATUS AND CONSULTATION.**

8 *Section 2 of the Act of June 8, 1906, commonly re-*  
 9 *ferred to as the “Antiquities Act” (34 Stat. 225; 16 U.S.C.*  
 10 *431) is amended—*

11 *(1) by striking “SEC. 2. That the” and inserting*  
 12 *“SEC. 2. (a) The”;*

13 *(2) by adding the following at the end of sub-*  
 14 *section (a) (as so designated by paragraph (1)): “A*  
 15 *proclamation of the President under this section that,*  
 16 *during one calendar year, creates a national monu-*  
 17 *ment that is more than 50,000 acres or that, during*  
 18 *one calendar year, adds more than 50,000 acres to an*  
 19 *existing national monument may not be issued until*  
 20 *30 days after the President has transmitted the pro-*  
 21 *posed proclamation to the Governor of the State or*  
 22 *States in which such acreage is located and solicited*  
 23 *such Governor’s or Governors’ written comments, and*  
 24 *any such proclamation shall cease to be effective on*

1     *the date 2 years after issuance of the proclamation*  
2     *unless the proclamation has been approved by an Act*  
3     *of Congress. Land and interests in land that were*  
4     *subject to a proclamation issued after the date of the*  
5     *enactment of the National Monument Fairness Act*  
6     *that ceases to be effective under the preceding sentence*  
7     *shall revert to the land use status such land and in-*  
8     *terests in land had immediately before the proclama-*  
9     *tion was issued.”; and*

10           *(3) by adding after subsection (a) (as so des-*  
11           *ignated by paragraph (1)) the following new sub-*  
12           *sections:*

13           *“(b)(1) To the extent consistent with the protection of*  
14     *the historic landmarks, historic and prehistoric structures,*  
15     *and other objects of historic or scientific interest located on*  
16     *the public lands to be designated, the President shall—*

17           *“(A) solicit public participation and comment in*  
18     *the development of a monument proclamation; and*

19           *“(B) consult with the Governor and entire con-*  
20     *gressional delegation of the State or territory in*  
21     *which such lands are located, to the extent prac-*  
22     *ticable, at least 60 days prior to any national monu-*  
23     *ment proclamation.*

24           *“(2) Before issuing a proclamation under this section,*  
25     *the President shall consider any information made avail-*

1 *able in the development of existing plans and programs for*  
2 *the management of the lands under consideration for proc-*  
3 *lamation as a monument, including such public comments*  
4 *as may have been offered.*

5       “(c) *Any management plan for a national monument*  
6 *developed subsequent to a proclamation made under this*  
7 *section shall comply with the procedural requirements of*  
8 *the National Environmental Policy Act of 1969.”.*



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